

REMARKS

This Preliminary Amendment responds to the Action mailed June 6, 2007 and the Advisory Action mailed September 25, 2007.

Applicants have amended claim 1 based on the disclosure, for example, at page 13, lines 6-14, of the specification.

Claims 1, 2 and 4-7 have been rejected under 35 USC 103(a) as anticipated by U.S. Patent No. 5,342,474 (Mohara) in view of U.S. Patent No. 6,631,552 (Yamaguchi). Applicants respectfully traverse this rejection.

Claim 1 as amended states that the control device is configured to set only one feed stop position for the electronic components in the storage tape by using a head electronic component of the storage tape. The specification defines the term "head electronic component" by stating that "a head electronic component is an electronic component that comes to the pick-up position first after the mounting apparatus starts to use a new storage tape for the mounting operation." See page 9, lines 11-13, of the specification. Thus, the claimed control device sets only one stop position for all the electric components in one storage tape using one electronic component, i.e., the head electronic component.

The Examiner admits that Mohara does not disclose this claim limitation. See page 2 of the Action. To overcome the deficiency of Mohara, the Examiner relies on Yamaguchi. However, all Yamaguchi teaches is an adjustment of positioning of a mounting head for sucking up the electronic components. See, for example, column 3, lines 44-57, and column 8, lines 1-25, of Yamaguchi. Yamaguchi does not disclose at all any adjustment of a stop position of a storage tape from which the mounting head sucks up electronic components. Furthermore, Yamaguchi's adjustment is a sequential adjustment where a suctioning posture of one electronic component is used for adjusting the suctioning position of a next electronic component in the storage tape. Thus, each time Yamaguchi's mounting head sucks up an electronic component, its position is adjusted by the result of the previous sucking. See column 3, lines 44-57, of Yamaguchi.

In the Advisory Action, the Examiner admits that “Mohara/Yamaguchi does not disclose that is [sic] uses the ‘head’ component to set the stop position.” Nonetheless, the Examiner contends that “it would be obvious to one skilled in the art to use ‘head’ component to set the stop position as it is the first component on the feed strip and if the stop position was not set using the first component the device wouldn’t function till the stop position is adjusted.” However, Yamaguchi teaches that the pick-up position of electronic components is adjusted every time one electronic component is picked up based on the picking up operation immediately prior to the current operation, as explained above. Thus, Yamaguchi does not teach or suggest the limitation that only one feed stop position is set for the electronic components in the storage tape by using a head electronic component of the storage tape. Furthermore, Yamaguchi suggests not doing what this application claims by being totally devoid of any disclosure of a reason to do what is claimed. Mohara is silent on this limitation, as the Examiner admits.

Mohara and Yamaguchi together do not teach or suggest the claimed device configured to set only one feed stop position for the electronic components in the storage tape by using a head electronic component of the storage tape.

Claim 4 states that the control device changes the feed stop position to the center of the opening when the electronic component is larger than the predetermined size. The Examiner states that Mohara’s FIG. 13 discloses this claim limitation without any explanation. See page 3 of the Action. The structure shown in Mohara’s FIG. 13 accommodates storage tapes of different pitches, as explained at column 9, line 55 - column 10, lines 33, of Mohara. Neither this portion of Mohara, nor any other portion of Mohara, discloses the subject matter of claim 4. The Examiner failed to address this limitation in the Advisory Action.

The rejection of claims 1, 2 and 4-7 under 35 USC 103(a) over Mohara and Yamaguchi should be withdrawn because Mohara and Yamaguchi together do not teach or suggest the claimed invention as a whole.

Applicants note that the Examiner did not reject claim 20 in the Action mailed June 6, 2007, and overlooked applicants' arguments regarding the failure to rejection claim 20 in the Advisory Action.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **606402017200**.

Respectfully submitted,

Dated: October 8, 2007

By:



Barry E. Bretschneider
Registration No. 28,055

Morrison & Foerster LLP
1650 Tysons Boulevard, Suite 400
McLean, VA 22102-3915
Telephone: (703) 760-7743
Facsimile: (703) 760-7777